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DEPT FOR AF/FO, AF/W, AND PRM  
GENEVA FOR RMA

E.O. 12958: N/A  
TAGS: [PREF](#) [PREL](#) [LI](#) [GH](#)  
SUBJECT: Liberian Repatriation Suspended

Ref: A. Accra 380, B. Accra 383, C. Accra 422, D. Accra 475

11. (U) Summary: Following habeus corpus lawsuits filed by two Ghanaian human rights NGOs that challenged the arrest and planned deportation of 23 Liberians, on April 8 the court of appeals has ordered the government to postpone the deportation of 23 Liberians scheduled for the same day. The court also ordered that their lawyers be provided access to their clients and adjourned the case until April 14. End Summary.

12. (SBU) RefCoord and PolOff met with Tuinese Amuzu of the Legal Resources Centre (LRC), which jointly with the Commonwealth Human Rights Initiative (CHRI), is pursuing a lawsuit on behalf of 23 Liberians in custody of the Ghana Immigration Service. Although a separate case filed on behalf of all 630 Liberians was dismissed when most were released from detention, CHRI and LRC are continuing to press their court case on behalf of the 23 remaining in detention. [Note: As reported in Ref B, UNHCR had verified these individuals were not refugees, and they had been scheduled for deportation on March 22. End Note]. CHRI and LRC have demanded access to the Liberians in detention, proof that they were lawfully detained under the Public Order Act, and action to prevent their deportation. As a result of the court order, the lawyers will be given access to the clients, and the case is adjourned until April 114.

13. (SBU) Amuzu also met with the protestors at Buduburam on March 17 and visited Kodiabe on March 18. According to Amuzu, there were no reports of violence during the March 17 arrests, nor did he observe evidence of violence. He was told on March 18 that two women miscarried pregnancies; but said that these reports were not confirmed. He also expressed concern that the tents at Kodiabe were inadequate.

14. (SBU) Concerning the 16 Liberians who have already been deported, Amuzu cited an absence of due process in their return. He said Ghana's Refugee Law requires an individual withdrawal of status by the Ghana Refugee Board, written notification, and fourteen days to appeal. Regarding the GOG's invocation of the "cessation" clause of the Refugee Law (i.e., a determination that refugee status no longer applies to the Liberians due to a change in conditions in their home country) Amuzu said that Article 17 of the Ghana Refugee Law on cessation is only a clarification of when Article 15 (b) on the withdrawal of refugee status can be applied. However, he stressed that the GOG must still follow appropriate procedures to withdraw refugee status in individual cases. He admitted that a Supreme Court ruling would be required to clarify this point.

15. (SBU) Comment: While UNHCR lawyers in Geneva are looking at the reading of the law, the Ghana Supreme Court will have the final say on the law's interpretation. However, the NGOs' lawsuit may encourage the GOG to cooperate with UNHCR and GoL in ensuring legal protections are in place for future returns. End Comment.

